The Republic of the Union of Myanmar
Myanmar Investment Commission
Permit

Form (3)
Sr.No. 527-A
Date. 24-11-17

Permit No. 034/2017 Date 24th November 2017

This permit is issued by the Myanmar Investment Commission according to the section 25, sub-section (c) of the Myanmar Investment Law-

(1) Name of Investor MR. CHAIWAT UTAIWAN
(2) Citizenship THAI
(3) Residence Address 700 SOI RATCHADA NIWET, SAMSEN NOK SUBDISTRICT, HUAI KHWANG DISTRICT, BANGKOK METROPOLIS, THAILAND
(4) Name and Address of Principal Organization THAI WATER OPERATIONS COMPANY LIMITED, 30/10, MOO 12, BUDDHA MONTHON 5 ROAD, TAMBOL RAI KHING, SAMPRAN, NAKORN PATHOM PROVINCE 73210, THAILAND
(5) Place of Incorporation THAILAND
(6) Type of Business SUPPLY OF TREATED WATER
(7) Place(s) of Investment Project U PAING NO.1326, NO.11,THARYAR AYE BLOCK, THARYAR AYE WARD, U PAING NO.16, NO.19, SHAN SU BLOCK, HLAING WARD AND U PAING NO. 21KA ,22, 23KA, 24,25, 26, 27, 28, NO.46, SHWE TAUNG BLOCK, SHWE TAUNG WARD, MAWLAMYINE TOWNSHIP, MON STATE
(8) Amount of Foreign Capital US$ 8.40 MILLION
(9) Period for Foreign Capital to be brought in WITHIN THREE YEARS FROM THE DATE OF ISSUANCE OF MIC PERMIT
(10) Total Amount of Capital (Kyat) EQUIVALENT IN KYAT OF US$ 12.00 MILLION (INCLUDING US$ 8.40 MILLION)
(11) Construction Period 30 MONTHS
(12) Validity of Permit 30 YEARS
(13) Form of Investment JOINT VENTURE
(14) Name of Company Incorporated in Myanmar MYANMAR TAP WATER COMPANY LIMITED

24.11.17

Chairman
Myanmar Investment Commission

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်
ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၁၃၄/၂၀၁၇ ၂၀၁၇ ခုနှစ် နိုဝင်ဘာ လ ၂၄ ရက်

မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှုကော်မရှင်သည် မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုဥပဒေ ပုဒ်မ ၂၅၊ ပုဒ်မခွဲ (ဂ) အရ ဤခွင့်ပြုမိန့်ကို ထုတ်ပေးလိုက်သည် -

(၁) **ရင်းနှီးမြှုပ်နှံသူအမည်** MR. CHAIWAT UTAIWAN

(၂) **နိုင်ငံသား** THAI

(၃) **နေရပ်လိပ်စာ** 700 SOI RATCHADA NIWET, SAMSEN NOK SUBDISTRICT, HUAI KHWANG DISTRICT, BANGKOK METROPOLIS, THAILAND

(၄) **ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ** THAI WATER OPERATIONS COMPANY LIMITED, 30/10, MOO 12, BUDDHA MONTHON 5 ROAD, TAMBOL RAI KHING, SAMPRAN, NAKORN PATHOM PROVINCE 73210, THAILAND

(၅) **ဖွဲ့စည်းရာအရပ်** THAILAND

(၆) **ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား** သောက်သုံးရေပေးဝေခြင်းနှင့် ဖြန့်ဖြူးခြင်းလုပ်ငန်း

(၇) **ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ)** ဦးပိုင်အမှတ် ၁၃၂၆၊ အမှတ် ၁၁၊ သာယာအေးအကွက်၊ သာယာအေးရပ်ကွက်၊ ဦးပိုင်အမှတ် ၁၆၊ အမှတ် ၁၉၊ ရှမ်းစုအကွက်၊ လှိုင်ရပ်ကွက် နှင့် ဦးပိုင်အမှတ် ၂၁က ၊ ၂၂၊ ၂၃က၊ ၂၄၊ ၂၅၊ ၂၆၊ ၂၇၊ ၂၈၊ အမှတ် ၄၆၊ ရွှေတောင်အကွက်၊ ရွှေတောင်ရပ်ကွက်၊ မော်လမြိုင်မြို့၊ မွန်ပြည်နယ်

(၈) **နိုင်ငံခြားမတည်ငွေရင်းပမာဏ** အမေရိကန်ဒေါ်လာ ၈.၄၀ သန်း

(၉) **နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ** ခွင့်ပြုမိန့် ရရှိသည့်နေ့မှ (၃) နှစ်အတွင်း

(၁၀) **စုစုပေါင်း မတည်ငွေရင်းပမာဏ(ကျပ်)** အမေရိကန်ဒေါ်လာ ၁၂.၀၀ သန်း နှင့် ညီမျှသော မြန်မာကျပ်ငွေ (အမေရိကန်ဒေါ်လာ ၈.၄၀ သန်း အပါအဝင်)

(၁၁) **တည်ဆောက်မှု/ပြင်ဆင်မှုကာလ** ၃၀ လ

(၁၂) **ရင်းနှီးမြှုပ်နှံခွင့်ပြုသည့် သက်တမ်း** ၃၀ နှစ်

(၁၃) **ရင်းနှီးမြှုပ်နှံမှုပုံစံ** ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(၁၄) **မြန်မာနိုင်ငံတွင် ဖွဲ့စည်းမည့် ကုမ္ပဏီအမည်** MYANMAR TAP WATER COMPANY LIMITED

24.11.17

ဥက္ကဋ္ဌ
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

Republic of the Union of Myanmar ★ Myanmar Investment Commission ★
Sr.No. 527-A
Date. 24.11.17

THE REPUBLIC OF THE UNION OF MYANMAR
MYANMAR INVESTMENT COMMISSION
No.(1), Thitsar Road, Yankin Township, Yangon

Tel: 95-1-658130 Our ref:MIC-5(O)/ P-009/ 2017 (527-A)

Fax:95-1-658142 Date : 24th November 2017

Subject: **Decision of the Myanmar Investment Commission on the Permit Application for supply of treated water under the name of Myanmar Tap Water Co., Ltd.**

Reference: Myanmar Tap Water Co., Ltd. Letter dated 2-10-2017

1. The Myanmar Investment Commission, at its meeting (15 /2017) held on 10th November 2017, approved the Permit for investment in supply of treated water under the name of Myanmar Tap Water Co., Ltd. submitted by Thai Water Operations Co., Ltd. (70%) from Thailand and Z Corporation Company Limited (30%) from the Republic of the Union of Myanmar as a joint venture investment in accordance with the Myanmar Investment Law and Rules.

2. The terms and conditions of the Permit are stated in the following paragraphs:

(a) The term of the Permit shall be initial thirty (30) years commencing from the date of the issuance of the Permit by the Myanmar Investment Commission and extendable for two times for ten (10) years with the approval of Myanmar Investment Commission.

(b) Myanmar Tap Water Company Limited shall have to sign the Lease Agreement for land and the BOT Agreement with Mawlamyine Township Development Affairs for supply of treated water.

(c) The term of the Lease Agreement for the Land shall be thirty-two (32) years and six months commencing from the date of

signing of the Lease Agreement between Mawlamyine Township Development Affairs (Lessor) and Myanmar Tap Water Co., Ltd. (Lessee).

(d) The lessee shall pay Kyat 10,000,000 (Kyat ten million) for land use premium at one-time payment to the Lessor.

(e) The rent for the land of 6.192 acres (25058.16 square metre) shall be Kyat 200,000 per month (Kyat two hundred thousand) for year 1 to year 5, Kyat 300,000 per month (Kyat three hundred thousand) for year 6 to year 10, Kyat 500,000 per month (Kyat five hundred thousand per month) for year 11 inclusive of all applicable taxes respectively and shall be increased annually from year 12 until the end of the term based on the reference inflation rate applicable to Mawlamyine Township Development Affairs as notified by the Central Bank of Myanmar.

(f) Myanmar Tap Water Co., Ltd. shall pay Kyat 5 (Kyat five) per cubic meter (1 unit) of treated water sold to the Mawlamyine Township Development Affairs.

(g) Myanmar Tap Water Co., Ltd. which has obtained this permit to receive benefits relating to the right to use land under Chapter XII and exemptions and reliefs under sections 75, 77 and 78 of the Chapter XVIII of Myanmar Investment Law, may submit the application form.

(h) Myanmar Tap Water Co., Ltd. shall use its best efforts to achieve a timely realization of the work stated in the Permit application.

(i) Myanmar Tap Water Co., Ltd. shall obey and respect the responsibilities of investors under section 65 of Myanmar Investment Law and Chapter XX of Myanmar Investment Rules.

(j) Myanmar Tap Water Co., Ltd. shall carry out prevention, mitigation and monitoring of significant environmental impacts

according to the type of investment activities in accordance with the relevant laws, rules, regulations and procedures.

(k) Myanmar Tap Water Co., Ltd. shall submit to the Commission any sublease, mortgage, transfer of shares or transfer of the business to any person during the permitted investment period in accordance with section 72 of Myanmar Investment Law and rule 191 of Myanmar Investment Rules.

(l) Myanmar Tap Water Co., Ltd. which has benefitted from the Permit or exemptions and reliefs shall submit an annual report in the prescribed form to the Commission within (3) months of the end of the financial year in accordance with rule 196 of Myanmar Investment Rules and shall publish a summary of the report on its website or the Commission's website.

(m) Myanmar Tap Water Co., Ltd. must, during the operation period under the permit of the Commission, submit its operating report quarterly in the prescribed form in accordance with rule 197 of Myanmar Investment Rules.

(n) Myanmar Tap Water Co., Ltd. shall transfer the facilities and local distribution network to the Mawlamyine Township Development Affairs as per BOT Agreement.

3. Myanmar Tap Water Co., Ltd. shall submit (5) copies of all approvals, licences, permits and similar authorizations relevant to the initial implementation of the investment, Joint Venture Agreement, BOT Agreement and the Lease Agreement to the Commission.

24.11.17

(Kyaw Win)
Chairman

Myanmar Tap Water Co., Ltd.

cc: 1. Office of the Government of the Republic of the Union of Myanmar

2. Ministry of Home Affairs
3. Ministry of Transport and Communication
4. Ministry of Natural Resources and Environmental Conservation
5. Ministry of Labour, Immigration and Population
6. Ministry of Commerce
7. Ministry of Planning and Finance
8. Central Bank of Myanmar
9. Mon State Investment Committee
10. Office of the Mon State Government
11. Director General, Directorate of Water Resources and Improvement of River Systems
12. Director General, Department of Environmental Conservation
13. Director General, Directorate of Labour
14. Director General, Department of Trade
15. Director General, Directorate of Investment and Company Administration
16. Director General, National Archives Department
17. Director General, Internal Revenue Department
18. Director General, Customs Department
19. Mon State Office, Directorate of Investment and Company Administration